

**Daniel Town Council Meeting  
Monday, February 2, 2015 at 6:00 PM  
Wasatch County Services Building, Room 126  
55 South 500 East, Heber City, UT**

Quorum present: Council members Eric Bunker and Kasey Bateman were present when Mayor Chip Turner called the meeting to order at 6:00 PM. Council member Jon Blotter arrived at 6:01 PM and Council member John Glodowski arrived at 6:04 PM. Recorder Lynne Shindurling was present to record the minutes and Treasurer Sherri Price was also present.

Members of the public in attendance were: Dale Beeman, Ryan Taylor, and Gary Walton.

**1) PUBLIC COMMENT CONCERNING ANY ISSUE NOT ON THE AGENDA**

There was no comment received at this meeting.

**2) BUSINESS LICENSE APPLICANTS**

Planning Director Bunker presented five applications for renewal of license. They are Computer Nerds, Classic Beauty Supply, Coleman Trucking, Tee J's Custom Mutt Cuts, and Wes' Auto Repair. All were approved and renewed by the Council.

A list of businesses operating within the Town of Daniel provided by Wasatch County Assessor's Office was reviewed by the Council along with a draft letter prepared by the Clerk to be sent to the business owners with a request that they fill out an application and send in the appropriate fee of \$60.00 for a license. They were requested to come before the Council to have their business approved, and a license will be issued upon approval.

**3) PLANNING DEPARTMENT REPORT**

Planning Director Bunker reported he had received a compliment from a resident on the information provided to him and the professional manner in which his matter was handled.

Mr. Bunker also discussed the transfer of development rights by Heber City which allows them to cluster develop and transfer rights among communities in the rural areas of the valley. He explained that developers would cluster develop homes or apartments within the city, while at the same time offering open land in another location in the county which would remain undeveloped. The desire of Heber City is to get agreement on this issue by municipalities within the county. Transfers could also be made between municipalities. Mr. Bunker reported that the community of Interlaken had recently incorporated and become a town.

A statement was made by Director Bunker that the community of Independence had contacted him, having read in our Council meeting minutes of the acquisition by the Town of a locator to handle Blue Stakes marking. They were inquiring about the specifics of the machine purchased.

Director Bunker reported he had spent 44.5 hours handling planning issues for the month and 21.5 hours doing Blue Stakes work. Most of this work involved Comcast. He also reported a certificate of occupancy was issued to Todd Steiner when he fulfilled the requirement of posting a \$1,000 bond. This money will be returned to him upon completion of his concrete driveway.

At this point Mayor Turner mentioned he has a meeting scheduled with Charleston Mayor Kowallis Tuesday morning, February 3<sup>rd</sup>, to discuss the cooperation agreement presented by MAG and UDOT at the January 5<sup>th</sup> meeting before our Town Council. He asked the Council if they had any questions they wanted him to discuss at this meeting. Council member Bunker commented again on the restrictive nature of the language in the agreement. Mayor Turner will apprise the Council of their discussion at the next meeting in March.

#### **4) DANIEL MUNICIPAL WATER ITEMS AS NECESSARY**

Gary Walton reported that the well pump was repaired and reinstalled.

Mr. Walton inquired if the Todd Steiner bond mentioned above had a condition that the water meter can was not to be cemented into the driveway when completed. Ryan Taylor stated that is the purpose of the bond as issued by the insurance company. The bond provides that if the can needs to be moved in order to complete cementing of the driveway, then the Town has the funds with

which to do so. The owner currently plans to make a circular driveway which does not interfere with the meter placement, but if the plans should change, the can will be moved accordingly.

Mr. Walton stated his concern that the plans for placement of the driveway be put in writing, as he has had numerous conversations with Mr. Steiner wherein he has stated different locations for the driveway. Council member Bunker asked how the Town could address the issue in addition to having a bond in place. Mr. Taylor suggested putting a set of standards in place regarding not placing the water meter in the driveway location. A concern arises as a home is sold and a new owner is not obligated to agreements made by a previous owner. Mayor Turner asked Council member Bunker if the Planning Commission would discuss the issue and make a recommendation to the Council. On the specific Steiner home Council member Bunker reported at the time of excavation at the home site it was suggested to Mr. Steiner they move the meter, and he opted not to saying it would not be a problem.

Mr. Walton stated he has received application for two new hook-ups on Mill Road and inquired what criteria should be used and what contractors are agreeable to the Town as completing this work. He also inquired regarding the fee for hook-up, and was informed by Council member Bunker that in March the impact fees go into effect which raises the price from \$5,000 to \$10,767 for a ¾" meter, or \$10,945 for a 1" meter, to his recollection. Ryan Taylor is going to check on the exact date in March for implementation of the new fees. He cited occasions on which an application is presented without a permit fee attached and that he does not consider an application complete until the monies are received. The timing of these events will be crucial as to which amount must be paid.

Mr. Bunker suggested adding language to the Intent to Serve letter issued to a property owner when they request water service to a new home which would state a meter could not be cemented into a driveway. Their signature appearing on a document stating this requirement would validate their agreement.

Discussion was instigated by Mr. Walton regarding overuse of water during the past several months and how the Town wants to handle charges for same. The Council advised he has the authority to collect additional monies if the

overuse is substantiated, and it is at his discretion if some charges should be forgiven. He can address this on a case-by-case basis. Council member Blotter stated he had had problems on his account in years past, thought he had it fixed, and his charges continued to accumulate. Sometimes it takes several months' usage to know there is a problem and to find a solution.

Mr. Walton cited instances in the past where residents actually broke a water meter when overuse charges continued to accrue. The Council directed him to use his best judgment in solving these issues. Mr. Beeman stated gas and electric companies use averaging in their billing practices and perhaps the meter readers could look at usage over a course of time to substantiate the charges.

Council member Blotter asked Council member Bunker if he will bring up the issue of cementing meters into a driveway. He stated in his opinion the best place to address it is in the Letter of Intent to Serve. He asked if the Council feels it necessary to write new code on the issue, and they would like to see that happen. The Planning Commission will follow through on the discussion. If new code is written, a public hearing would have to be held for the Planning Commission, Town Council, and penalties outlined for violation of the code.

## **5) APPROVAL OF COUNCIL MEETING MINUTES OF JANUARY 5, 2015**

Council member Blotter asked that the time of his arrival at the meeting be cited in the opening paragraph of the minutes as 6:06 PM, rather than "at a later time" as it appears later in the minutes. ***With that change having been made, Council member Bunker moved to accept the minutes. The motion was seconded by Council member Glodowski and the motion passed with unanimous "aye" votes.***

## **6) UPDATE ON STORM HAVEN WATER SYSTEM**

Mayor Turner reported that the due diligence period is continuing with Susanne Goodfellow through conversation and water testing. He also stated the CDBG application for funding has been submitted and we await word of awards for the monies. Council member Bateman mentioned he has had residents within Storm Haven question where their water payments should be sent, and Mayor Turner stated the Town won't hear anything from the government regarding

funding until March or April so residents should continue as they always have until further notice is given. Council member Blotter stated as he conducted the LMI survey for funding, many residents were unaware of any problems with the current system.

Gary Walton, as the water manager, inquired about replacement of meters and the logistics of taking over the water system. Ryan Taylor stated the Town asked for a smaller amount of funding this year, and that monies would be used to replace approximately 60 meters to facilitate use of the radio read as used in the Daniel Municipal water system. He doesn't feel this will result in a burden on those reading meters at this point in time. Mr. Taylor informed the Council of the need for a new storage tank and different locations are being considered.

In response to a question by Council member Glodowski regarding pipe size, Mr. Taylor stated they will look at casings, concrete, pipe size while replacing existing pipes in the area to build in as much strength as possible.

#### **7) RECORDER'S OFFICE: WARRANT APPROVAL, ANNOUNCEMENTS, ETC.**

The warrants for payment during the month of January were presented by Clerk Shindurling. During this presentation she advised the Council that Council seats for members Blotter and Bunker will expire at the end of the year and that a notice for election to fill these seats has been placed in The Wasatch Wave.

Ms. Shindurling mentioned Ryan Taylor had presented two additional invoices for Epic Engineering's work on the roads and impact fees, and he will explain these additional amounts requested.

An invoice was presented by the Treasurer, Sherri Price, for a laptop computer which she will be using to do the Town bookkeeping. She had asked Mayor Turner if the Town would be willing to pay a portion of the purchase price of \$800. The Council discussed several amounts and agreed to pay \$650 toward the purchase, with perhaps an additional amount for obtaining a hard drive for back-up storage. This will be looked at in the future. Mayor Turner also mentioned to the Council the clerk is looking at obtaining a back-up system for the Town's files and the Planning Commission files. Chris Anderson is working on this issue. Council member Glodowski suggested perhaps using a hard drive as a

second back-up, and this will be looked at in the future. A purchase authorization will be circulated among the Council members for the amount of \$650 toward the computer purchase.

Council member Blotter inquired about the Century Link bill under the DMW section of the warrants. Ryan Taylor stated it is for phone and internet charges in the pump house. At the time the service was initiated internet services could not be provided without having a phone line installed.

***Council member Blotter moved to approve the warrants as presented with the additions noted, which was seconded by Council member Bateman. The motion passed unanimously.*** Then Ryan Taylor explained the additional charges he had asked be paid, and there was no objection by the Council. The specific amounts are delineated on the Epic invoices. Though some of the work Epic performed this year for road work did not get accomplished, the crack sealing can continue in the next fiscal year and the engineering utilized at that time. Also, with oil prices being on the low side, Mr. Taylor suggested the Town consider doing as much road work this year as possible.

On the additional impact fee analysis performed by Epic, though the Town decided not to enact a fee for land acquisition presently, the preliminary work was performed by Epic and Mr. Taylor asked to be paid.

#### **8) POSSIBLE CLOSED SESSION FOR DISCUSSION OF REASONABLY PENDING LITIGATION**

***Council member Blotter moved to leave the regular session of the Council meeting and go into closed session. The motion was seconded by Council member Glodowski which passed by unanimous "aye" votes and the closed session proceeded.***

(Treasurer Sherri Price and Ryan Taylor were present for this session.)

***Council member Glodowski moved to go back into regular session and out of the closed session. The motion was seconded by Council member Blotter. The motion passed by unanimous "aye" votes.***

***Council member Blotter moved that Planning Commission Director Bunker write a letter explaining the Council's determination on the issue. Council member Bateman seconded the motion which passed by the following vote: Turner, aye; Glodowski, aye; Blotter, aye; Bateman, aye; with an abstention by Council member Bunker.***

**9) ADJOURN**

***Council member Glodowski moved to adjourn the meeting. After a second by Council member Blotter, the Council voted unanimously to adjourn. Mayor Turner adjourned the meeting at 8:25 PM.***

Lynne Shindurling  
Clerk/Recorder